

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

IRVIN RODOLFO RAMIREZ,

Petitioner,

vs.

No. 2:17-cv-579 RJ-KRS

ALISHA TAFOYA-LUCERO and
ATTORNEY GENERAL STATE OF NEW MEXICO,

Respondents.

ORDER TO ANSWER

This matter is before the Court on Irvin Rodolfo Ramirez's amended 28 U.S.C. § 2254 habeas corpus petition. (Doc. 7). The Court reviewed the petition pursuant to 28 U.S.C. § 2254 and Habeas Corpus Rule 4 and determined it is not subject to summary dismissal.

Accordingly, it is **ORDERED** that the Clerk forward copies of this Order and the amended petition (Doc. 7) to Respondents;

It is **FURTHER ORDERED** that Respondents answer the petition within 30 days of entry of this Order. Respondents' answer must advise, but is not limited to, whether the Petitioner has exhausted his state court remedies as to the issues raised in the federal petition. Respondents must attach to their answer copies of any filing pertinent to the issue of exhaustion that was filed by Petitioner in the sentencing court, the state district court, the state court of appeals, and the state supreme court, together with copies of all memoranda filed by both parties in support of or in response to those filings. Respondents must also attach to the answer copies of all state court post-conviction or appellate proceedings. The answer must describe the procedural history of each claim that Respondents contend is unexhausted and identify the State procedures that are currently available to Petitioner.

IT IS SO ORDERED.

Kevin Sweeney
UNITED STATES MAGISTRATE JUDGE